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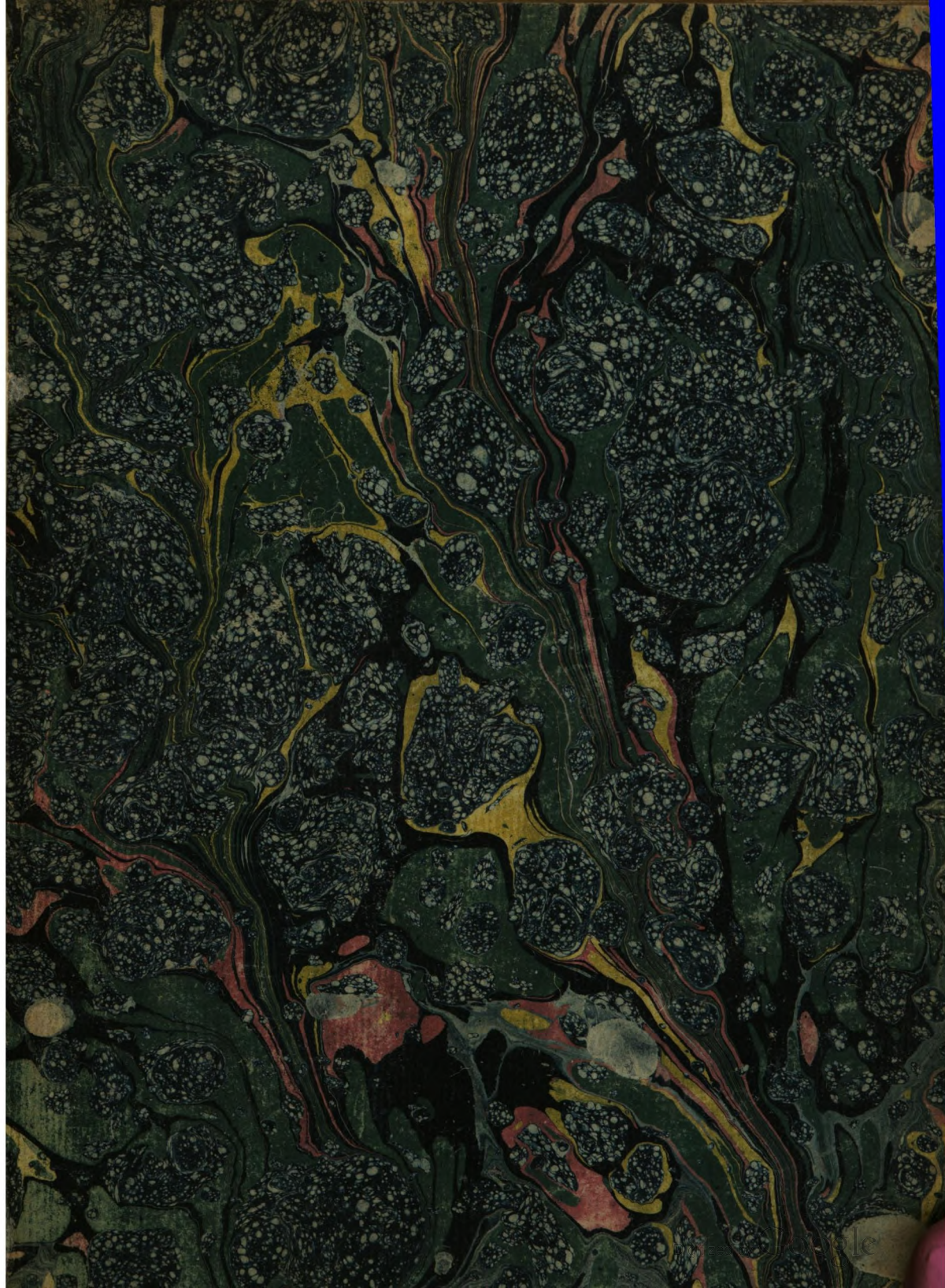
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CORRESPONDENCE

UPON THE

SUBJECT

OF THE

EAU-BRINK CUT,

BETWEEN

SIR THOMAS HYDE PAGE,

AND

MR. MYLNE,

IN THE YEARS 1801 AND 1802.

LYNN:

PRINTED BY ANDREW FIGGE, IN HIGH-STREET.

1802.

Be from Dabell



C O P I E S
OF
L E T T E R S, &c.

From Mr. Mylne to Sir Thomas Hyde Page.

London, September 29th, 1801.

Dear Sir,

I BEG leave to acquaint you, that I have been at Lynn, and have set out the *middle line*, of the intended Cut, for the River Ouze, from thence upwards to Eau Brink.

I have abstained from doing any thing more in that business, until you have viewed and are satisfied, that *this line* is agreeable to our intentions, and to the Act of Parliament.

I was engaged a fortnight on the spot, and had no other assistants than Mr. Golborne and my Son, with some *Fenmen*, accustomed to the Country. It is very creditable to the *large Map*, that it proved so very exact; by
B which

which means my personal labour was much shortened; tho' to my years, it was heavy enough.—I request the favour you will appoint a time, consistent with your other duties; and I will give you the meeting *there*.

I waited on the Mayor and other Magistrates of the Town of Lynn, and acquainted them, with this first step of our proceedings; with which attentions, they seemed to be well pleased.

I have the honor to be,
Your's faithfully and truly,
(Signed) *ROBERT MYLNE.*

To Sir T. H. Page.

From Sir Thomas Hyde Page to Mr. Mylne.

Sea-Point, Black Rock, near Dublin, 17th October, 1801.

Dear Sir,

YOUR obliging favour of the 29th ult. would have been answered sooner, had I not been in a distant part of Ireland with a Committee of Engineers, to which Country my Letters were not forwarded from Dublin; and I am sorry to express that another visit must be made to the same Country, to ascertain the best Line for a great National Work, before it will be possible for me to attend you in England; I however have hopes that I shall soon be able to set out for London, and to wait on you prior to our going to Lynn.

I should imagine, that in the mean while, but I submit it to your consideration, Mr. Golborne might make a rough trace of the different breadths of the intended Cut from what was marked upon the large Map, which would shorten the operation of our final decision, which after the trouble you have already had, is not likely to be attended with any difference of opinion when we meet on the spot. I am glad that the large Map was found

found as correct as I had supposed it to be, and it will enable Mr. Golborne to do what is now necessary to our satisfaction.

I am, Dear Sir,

Your faithful and most obliged,

Humble Servant,

(Signed) *THOMAS HYDE PAGE.*

To Robert Mylne, Esq.

From Mr. Mylne to Sir Thomas Hyde Page.

London, November 11th, 1801.

Dear Sir,

HAVING received your obliging letter of the 17th of October, I waited some time to receive an expected letter from Mr. Golborne, before I answered it. You may remember, that I stated to you, the central or middle line of the intended Cut, combined with the old parts at each end, is the main part of the question which you and I have to settle.—All other parts set out *from such a line*, if done, would be to do over again, if that *thread of the Water* should be, on better consideration, to be altered. The expence (which is not small) to make the same *visible*, and understandable to *the Country*, would be lost, as also our time and trouble to repeat it.—For that and many other reasons, I think it would be better (nay the best) to have a conference here, on the Plans, &c. with the actual dimensions of *the present* middle line on the large Map which is in Town with me, before we proceed further. I hope your affairs in Ireland will enable you, to give me *one Day* here, and then to proceed to the Marshes.

I am, ever your's,

Most faithfully,

(Signed) *ROBERT MYLNE.*

To Sir T. H. Page.

From Sir Thomas Hyde Page to Mr. Mylne.

Oxford-Street, No. 221, November 24th, 1801.

Dear Sir,

I HAVE this Morning found the attested Copy of the Eau-Brink Cut that was agreed upon by you and me in Manchester Buildings, and now it only remains to find out in what Office the original is lodged.

The Copy is signed by Mr. Watté and Mr. Cubit, all the necessary breadths are marked, and as it appears to have been so fully investigated by you and me, it will be very satisfactory to both of us, as no new idea, or difference in opinion can arise in tracing the lines on the ground according to the original Document. The outlines of the Cut being already so well settled, in the original Plan agreed upon, and the nature of our trust so clearly explained in the Act of Parliament, it seems only to be further necessary for me to express, in addition to what I have already communicated in our last conversation, that I shall be happy to unite my best endeavours with yours, in seeing the important Object of our joint Consideration properly executed.

I am, Dear Sir,

Very faithfully your's,

(Signed) *THOMAS HYDE PAGE.*

To Robert Mylne, Esq.

From Mr. Mylne to Sir Thomas Hyde Page.

New River-Head, November 26th, 1801.

Dear Sir,

I WAS sitting down to answer your favour of the 23d, when I received yours of yesterday.—I shall be glad to see the Papers and Plans you mention, and compare them with the great Plan, which you have
seen

seen here, and which has been preserved by the Commissioners since the Act passed, until the 13th of September last, when it was delivered to me at Downham, by their Officer, as the *Model* of the Work.—I shall be glad of the pleasure of meeting you, on that and other matters, previous to our Journey, that your health may not be lessened, or my age increased prematurely among Fens and Marshy Waters.

I am, your's most truly,

(Signed) *ROBERT MYLNE.*

To Sir T. H. Page.

From Sir Thomas Hyde Page to Mr. Mylne.

Bryanston-Street, 23d December, 1801.

Dear Sir,

As you did not appear to recollect, in our conversation last Monday, one of the Letters you had written to me, I think it necessary to send you a Copy of it, I hold the same opinion with you, that the large Plan or Map you received at Downham from the Officer of the Eau-Brink Commissioners, is the *Model* for the Work, and a strict observance of it will prevent any unnecessary discussion. I am sorry that after waiting more than a month in London upon the subject of the Eau-Brink Cut, and having returned from Ireland sooner than I otherwise should have done, and solely upon that account, we should have made so little progress, and that instead of having proceeded to Lynn on my arrival, to trace the lines upon the Ground, the result of our last Meeting was a proposal from you to adopt Dimensions, at the end of the Cut near Lynn, different from those expressed either in the large Map you received at Downham, or those specified in the Act of Parliament, by the use of a discretionary power which I cannot consent to admit, and by which the Channel, or excavated Water

ter

ter course, would be narrowed, according to the Plan you produced, more than according to my judgement it ought to be, and which I believe could not be justified by the Act of Parliament, and would be most decidedly contrary to my opinion.

As we hold opposite opinions, I am much at a loss to know what further steps we can take, but I conceive that it will be necessary to ask the advice of the Commissioners at their next Meeting, which will be the most probable way of relieving us from our present disagreeable indecision.

I have the honor to be,

Dear Sir,

Your most obedient,
Humble Servant,

(Signed) *THOMAS HYDE PAGE.*

To Robert Mylne, Esq.

From Sir Thomas Hyde Page to Mr. Mylne.

Oxford-Street, 12th December, 1801.

Dear Sir,

I HAVE since our last Meeting re-considered the Act of Parliament for making the Eau-Brink Cut, with great attention, which has strongly confirmed me in the opinion I then held, that we should not make the alterations you suggested, in the forelands and interior base lines of the Banks, as the breadth of the Cut or Water Course would thereby be diminished, and in my opinion, the Navigation and Harbour materially injured. I must candidly express that the Cut as described in your large Map is as narrow as it should be made, consistent with safety, or advantage, either to the Navigation or Drainage of the interior of the Country; and as that large Map is delivered to you by the Commissioners, and of course

course it is the Record for their Proceedings, as well as for the part we have to act as Trustees and Professional Men; I hope and trust that my determination not to exercise any kind of discretionary power in altering the Dimensions, will meet your approbation. I have however another reason for a strict observance of the Dimensions expressed in the Act of Parliament only, which is their having had my approbation at the time the Bill was before Parliament, and my still holding the same opinion, which makes me desirous of having what is required of us in marking out the Cut on the ground, done as soon as possible. The Act requires it to be done either by us, or in our presence, I therefore shall be ready to accompany you to Lynn as soon as it may suit your convenience. It is my intention to take Mr. Cubit with me, who is a good Land-Surveyor, and I should wish you to have your Son, or some other well qualified Person to act on your part with Mr. Cubit, and that they might trace all the lines in our presence on the spot, and if Mr. Golborne could meet us, it would be satisfactory to me, in compliance with the wish of the Commissioners. I have a Copy of the intended Cut, taken from the Certified Copy, upon which I have made a Memorandum, which I wish to communicate to you, and beg you will be good enough to name an early Day, when I will call upon you with it, at the New River-Head, where we shall also have the large Map to refer to.

I have the honor to be,

Dear Sir,

Your most obedient,

Humble Servant,

(Signed) *THOMAS HYDE PAGE.*

To Robert Mylne, Esq.

From

From Sir Thomas Hyde Page to Mr. Mylne.

Oxford-Street, 14th December, 1801.

Dear Sir,

I HAVE asked Mr. Cubit to call on you on my part early to-morrow Morning, and he will shew you the Memorandum mentioned in my last letter of the 12th instant, and the Copy of the Cut which he has made for my use. This will save time, as my Lodging is so far from the New River-Head; I shall however before our Journey to Lynn, wish to see the large Map again, with the Copies that have been taken.

I am, Dear Sir,

Faithfully your's,

(Signed) *THOMAS HYDE PAGE.*

To Robert Mylne, Esq.

P. S. I beg you will let Mr. Cubit compare the Memorandum with a particular part of the large Map, which I have explained to him.

Memorandum.

Mr. Mylne declined seeing the Memorandum taken by Mr. Cubit, al-luded to in the above Letter, but shewed him the large Map. Sir T. H. Page shewed Mr. Mylne the Memorandum himself, at a subsequent Meeting.

From Mr. Mylne to Sir Thomas Hyde Page.

New River-Head, December 27th, 1801.

Dear Sir,

I DESPAIR, from what has passed, of having the satisfaction, of any alteration of your opinion, on the only point, which there now seems
to

to be of difference between us. Yet, out of mere loyalty to the great trust which I have undertaken, I transmit you the inclosed Papers, (*see Nos. 1, 2, 3,*) which perhaps may have some weight. The width of the *Thames* and its meandering Curvatures are well known, but, the Sand-banks and Shoals, and the still more *winding thread* of the deepest water (out of sight and little known) might have some consideration, if you would consult the late Publications of the House of Commons, on that head. 750 to 800 feet is, in fact, the efficient width of this River, as a great Port and Harbour. Why 834 feet for Lynn Harbour, the Passage of the *Ouze*?—would be a natural question.—I abstain from saying more.

I do not give up the word *Model* in my sense of it. Consider the inclosed of Shakespeare. *The Act* is our *Model* notwithstanding all the previous designs made by Drawings, Paintings, Engraving, Writing, Maps, &c. &c. without end. The Magick power of the King, Lords, and Commons, created that *Model*, which sunk and annihilated at once, all former conceptions on the subject, as authorities. I feel by that Act, room is left for my mind, on good consideration, to vary certain of the constituent parts, while, it is imperious and unalterable, in the main outline of the *Model*.

I submit therefore, whether it is not a bad compliment to yourself, and to the Legislature, to divest me of that power of discretion, which has thereby, and for obvious reasons too, been intrusted to me, and *Mutatis Mutandis*, to yourself.

After six years of further reflection, since you agreed to, and signed the *Paper*, which was copied literally into the Act, and which by the Act, became the *Model*, and leaving to us a power of *Modulating* the smaller and proportional parts thereof, I rejoice, such a power is left, to the Artists entrusted.

I have submitted to you *my Data*, and the *inferences*, and considering it useless, and a bad compliment to your understanding, I abstain from repeating them.

c

I have

I have made and explained to you, my Plan and Sections, for this undertaking; and the Estimated Expence, resulting from the figure of it, so given, perfectly *obedient* with the Act where it is positive, and *consistent* with it, (I must state) where it has left freedom of opinion for us to Act upon.

It would give me great satisfaction, if you would be so good, to take this Ground, and do *the same*, in order, that you might try, as I have done, the effect thereof, in itself, and also, as to the junction with the Harbour, which is not at all recognized by the large Map, with any accuracy.

I am, with esteem and sincere respect,

Your's most truly,

(Signed) ROBERT MYLNE.

To Sir T. H. Page.

No. 1.—REFERRED TO BY THE ABOVE LETTER.

.....WHEN we mean to build,
We first survey the Plot, then draw *the Model*;
And when we see the Figure of the House,
Then we must rate the Cost of the Erection;
Which if we find outweighs ability,
What do we then, but draw anew *the Model*;
In fewer Offices? or else, desist
To build at all. Much more, in this great Work.

Should we survey
The Plot of situation, and the Model;
Question Surveyors, know our own Estate,
How able such a Work to undergo,
To weigh against his opposite? or else,
We fortify on paper, and in figures,

Using

Using the Names of Men instead of Men;
 Like one that draws the Model of a House
 Beyond his powers to build, who half through
 Gives o'er and leaves his part created lost
 A naked Subject to the Weeping Clouds,
 And Waste, for Churlish Winter's Tyranny.

SHAKESPEARE.

To Sir T. H. Page, from Mr. Mylne.

No. 2.—REFERRED TO BY THE ABOVE LETTER.

*The Breadth or Width of the River Thames, at various Places, at
 High Water.—Anno 1800.*

	FEET.
At, above, and below Queen-hithe Stairs	700
At All-hallow Stairs, below Dowgate, and above Three-Crane Stairs.....	690
At Steel-Yard	{ 775 High Water. 550 Low Water.
At Stairs leading from Dyer's Hall, to St. Saviour's Dock.....	{ 744 738 740

Below London Bridge.

At Billingsgate	800
At Tower-Wharf	750
At St. Catherine's Stairs	790
At Brown's Stairs	762
At Traitor's Bridge, Ratcliffe-Cross, Cuckold's Point, and a Point between Greenwich and Blackwall	{ 1200 each.

Another Set of Measures below London Bridge.

	YARDS.	
Custom-House.....	250	} Taken by Order of House of Commons.
Brown's Wharf	254	
Hermitage Stairs	300	
Bell Dock	300	
Gun Dock	230	
St. James's Stairs	340	
Opposite Globe Stairs	280	
Lyme-House-Hole	310	
Greenland Dock.....	380	
Victualling Office	340	
Lower Water-Gate, Deptford	330	
Above Greenwich Hospital	322	
Hospital Stairs	362	
Black-Wall	480	
	and 370	

No. 3.—REFERRED TO BY THE ABOVE LETTER.

Bedford Level.—*At a Meeting of the Board, at 10 o'Clock, Thursday, the 16th of April, pursuant to Adjournment.*

PRESENT, THE SAME MEMBERS, AS BEFORE.

THE consideration of the seven Clauses, proposed to be inserted in the Eau-Brink Bill, was pursuant to adjournment again resumed, and on the Question,

RESOLVED UNANIMOUSLY,

That this Board, willing and desirous, that every reasonable precaution should be taken, for guarding against any injury, which might accrue to the Harbour of Lynn, and the Navigation below it to the Sea, esteem it at the same time, incumbent on them, as Trustees, to whom the preservation and improvement of the Drainage, is peculiarly committed, to express their serious Apprehension,—That if the proposed Cut should be too wide,—the expectation of the Country with regard to the Scowering and keeping open the Outfall, may be disappointed.

(Signed) C. N. COLE,

REGISTER.

For the Agent to the Committee, for promoting the Eau-Brink Bill.

By Order of the Board.

From

From Mr. Mylne to Sir Thomas Hyde Page.

LES inondations sont ordinairement plus grandes dans les parties supérieures des fleuves, que dans les parties inférieures & voisines de leur embouchure parce que, toutes choses étant égales d'ailleurs la Vitesse d'un fleuve va toujours en augmentant jusqu'à la Mer, & quoiqu'ordinairement la pente diminue d'autant plus qu'il est plus près de son embouchure la Vitesse cependant est souvent plus grande pour les raisons que nous avons rapportées. Le Père Castelli qui a écrit fort sensément sur cette matière, remarque très bien que la hauteur des levées qu'on a faites pour contenir le Pô va toujours en diminuant jusqu'à la Mer, en sorte qu'à Ferrare, qui est à cinquante ou soixante Milles de distance de la Mer, les levées ont près de vingt pieds de hauteur au dessus de la surface ordinaire du Pô, au lieu que plus bas, à dix ou douze Milles de distance de la Mer, les levées n'ont pas douze pieds, quoiqu'le Canal du fleuve y soit aussi étroit qu'à Ferrare.

See Buffon, and Padre Castelli, supra le Currente di Acque.

To Sir T. H. Page, from Mr. Mylne.

From Sir Thomas Hyde Page to Mr. Mylne.

Bryanston-Street, December 30th, 1801.

Dear Sir,

I HAVE the honor to acknowledge the receipt of your Letter of the 27th instant, with three Papers inclosed, and am sorry to find that we are not likely to agree in opinion relative to the Eau-Brink Act of Parliament. My idea of it is, that the breadths specified in that Act for the several parts of the Cut, should not be altered; and this being my fixed opinion, it must occur to you that I cannot acquiesce in the alteration you proposed of an increase in the interior base lines of the Banks, and breadth
of

of the foreland, whereby the excavated part of the Channel would be considerably narrowed, and as far as I can judge, to the injury of the Navigation and Lynn Harbour. In this point I must candidly own that I mean to exercise the power given me by the Act, as far as it can operate to prevent such an alteration, but I am far from inferring that you are not equally at liberty to endeavour to introduce it, if it appears to you according to your own opinion, that it would be an improvement, and it will be an inquiry hereafter, whether you have *authority to introduce it*. I cannot upon personal consideration of respect, avoid expressing much regret, that we should so widely differ in opinion, but I am induced to hope that the Commissioners will relieve us from this difficulty by some legal means, at their next Meeting at Cambridge. Not having seen the necessity since the Eau-Brink Act passed for a renewal of any discussions upon it, I shall only trouble you at this time with a short observation upon one of the Papers you inclosed, relative to the breadths of the Thames, as you meant it to be considered comparatively with the River Ouze near Lynn. I observe that the breadths of the Thames have not been taken in that Paper lower than Black-Wall, which is in a right line about thirty Miles from the Mouth of the River, between the Isle of Grain and Shore, near Prettlewell, where it is four Miles wide, and if the circuitous parts were measured from Black-Wall to this part, by the course of the River, the distance would not be less than thirty-six Miles. The breadth of the Ouze, one Mile below the Ferry at Lynn, is about half a Mile; at two Miles below the Ferry the width is about one Mile, This is at the Mouth of the Ouze, and a small distance further, across Lynn Deep, from Seater Corner on the Lincolnshire Coast, to the Salt Marsh on the Norfolk Coast, near Wolferton, the distance is nine Miles. The part of the Ouze where the junction of the Cut is meant to be with the present River, and where the breadth between the Banks will be eight hundred and thirty-four feet, and where that of the excavated Water course is only four hundred and eighty-four feet, is not

not more than four Miles from the wide part of Lynn Deep or the Sea; there can therefore be no just comparison between it, and the breadth of the Thames at Black-Wall, which is more than thirty Miles from the Sea. To have formed a just Idea by Comparison, the breadths of the two Rivers should have been measured at equal distances from their Embouchûres or Mouths, from which it would, I am persuaded, have appeared that the Eau-Brink Cut, as stated in the Act of Parliament, and in the large Map, did not require alteration. Altho' our opinions on each side differ so much, and seem to be unalterable with respect to the Cut, we should, I think, notwithstanding agree in one essential point, which is, in requesting the Commissioners to give us their advice for our conduct, as soon as possible, that we may not by our discussions, create delay in the execution of a Work, which, in whatever light it is seen, must appear to be of very serious importance to the Country at large.

I have the honor to be,

Dear Sir, your most obedient,

Humble Servant,

(Signed) *THOMAS HYDE PAGE.*

To Robert Mylne, Esq.

EXTRACT

EXTRACT

From the Eau-Brink Act of Parliament.

"THE concave or West side of such sweep or Curve shall have the forelands eighty feet in breadth, and the convex or East side thereof shall have the forelands sixty feet in breadth, between the edges or sides of the middle or Navigable Channel, and the foot of the new Banks to be constructed on each side of the said new River or Cut, and the whole shall measure from Bank to Bank three hundred and seventy feet in breadth, at the upper end of the said new River or Cut."

EXTRACT

From the Eau-Brink Act of Parliament.

"AND that the width of the Channel formed by the said new River or Cut, at the junction with the present Channel near King's-Lynn, shall not be less than two hundred and seventy-eight yards, which is the present actual width of the narrowest part of the said Harbour, at or near to the Ferry landing place, and that the said width at the said junction shall be divided out as follows, *videlicet*, the internal slope of the Banks shall be not less than fifty feet on the base line, the breadth of the East foreland shall be not less than one hundred and fifty feet, and the breadth of the West foreland not less than one hundred feet."

Memorandum, December 30th, 1801.

BY SIR THOMAS HYDE PAGE.

Sir Thomas Hyde Page approved of this Clause before the Act passed. It is now his firm determination to abide by those Dimensions, and oppose every deviation that may be proposed, his opinion remaining unaltered.

Memorandum, December 30th, 1801.

BY SIR THOMAS HYDE PAGE.

Sir Thomas Hyde Page approved of this Clause before the Act passed, and his present opinion being, that the dimensions should remain exactly as therein expressed, it is his intention to oppose the alteration lately suggested by Mr. Mylne, of adding to the base lines, and one of the forelands, so as to increase their breadths considerably, in order to lessen the width of the excavated Channel or Water Course; and as Sir Thomas Hyde Page's opinion in this respect is unalterable, it is losing time to continue a further discussion upon it.

From

From Sir Thomas Hyde Page to Mr. Lemmon.

Bryanston-Street, 9th January, 1802.

Sir,

I FEEL great regret in finding myself under the necessity of troubling you to state to the Commissioners for executing the Eau-Brink Act of Parliament, that a difference of opinion has arisen between Mr. Mylne and me, relative to the Dimensions of the intended Cut. I am the more surprised at the circumstance, as I have uniformly acquainted him with my not having the smallest alteration to propose, and, that on the contrary, it was my firm determination to abide by the Dimensions exactly as they were stated in the Act. I consider those Dimensions to be preferable to any alterations that would be substituted instead of them, and am very sorry that any deviations should have been suggested, which if adopted, would I fear, cause a renewal of opposite opinions, and expences similar to those which the Country has from former experience, sufficiently in memory. I have had frequent and long conferences with Mr. Mylne at his own house upon this subject, during the last six weeks, the only result of which is a proposal from him to deviate considerably from the Dimensions specified in the Act, above alluded to, which never can receive my approbation; but the inclosed Copies of three Letters* that have passed (being part of a considerable number), will explain the nature of the difficulty.

I have further to request, that the Commissioners will do me the honor to give me their advice and Instructions, how I may proceed in a legal manner in the further consideration of this subject.

I have the honor to be,

Sir,

Your most Humble Servant,

(Signed) *THOMAS HYDE PAGE.*

* See the Letters dated 24th and 26th of November, and 12th of December, 1801.

P. S. I wish the great Plan mentioned by Mr. Mylne in his Letter of the 26th of November, to be returned to you, that we may have it kept for inspection at Downham. It agrees with the Act of Parliament, and I shall observe it as the *Model* for my Conduct, notwithstanding Mr. Mylne's change of opinion since the 26th of November last.

To Mr. William Lemmon.

From Mr. Lemmon to Sir Thomas Hyde Page.

Sir Thomas,

HEREWITH you receive Copy of the Orders made at the last Eau-Brink Meeting, together with Copies of the Letters, Report, and Estimate received by me from Mr. Mylne, which I am directed by the Meeting to send you.

I hope you and Mr. Mylne will appoint a day in the Month of March, to attend a Meeting at Cambridge, and inform me thereof about three weeks before the time, that I may write to the Commissioners and get the necessary advertisements inserted in the Newspapers.

I have to request you will favor me with an answer to the order made by the Commissioners relating to the width of the Cut, (a Copy of which order is herewith sent) as soon as convenient, as Mr. Golborne is directed to prepare an Estimate according to those Dimensions but which he says he cannot until he knows from whence you take your Dimensions, whether from the top or foot of the slope of the Banks.

I remain Sir,

Your most obedient,

Very Humble Servant,

WILLIAM LEMMON.

Downham, Norfolk, 2d February, 1802.

From

From Mr. Mylne to Mr. Lemmon.

London, January 8th, 1802.

Sir,

I BEG the favor, you will state by way of *Report* to the Commissioners of the *Eau-Brink Cut*, the following Proceedings, &c. on that undertaking, since the 8th of January and 17th of April last, on which Days, the Commissioners were pleased to come to certain Resolutions, to which I beg leave to refer.

On the receipt of the latter, I applied myself to find Sir Thomas Page, and after some inquiry, I understood he was in Ireland. Not willing to request his coming over on purpose for this business, I proposed to him that I would undertake to save him trouble, and set out the *middle line* of the whole undertaking, as a necessary and preliminary step; before any other consideration could be had; to this point he wrote me his approbation, and that he would soon be in England.

Accordingly, in the Month of September last, I went to *Lynn*, and with the able assistance of Mr. Golborne, our two Sons, and some Workmen, the middle line was set out, according to *the large Map*, from Germans Bridge to Lynn Harbour, and as far, at the two ends thereof, as there is Land to stand on, assuming the middle of the Harbour as the lower point, and the middle of Germans Bridge on the upper one. This done, I wrote Sir Thomas, my *proposition* was accomplished, and the same was ready for his inspection.

I then applied myself, to make a *new Plan* of the whole work to the same Scale, and containing only, what is to be put in execution by the said Map. I have sent you with this, *the Map* put on Canvas, for its better preservation, and also my *new Plan* in like manner. On this Plan, I have drawn *the lines* which set forth accurately and more distinctly, the figure of the whole undertaking (the Harbour of Lynn inclusive) as the same is

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proposed

proposed to be, and, I have done it, in such a manner as, that the Dimensions will be found perfectly agreeable to *the Act*, and fit for the funds, which I understand are in the power of the Commissioners to execute the same.

Having thus settled the true figure of all its parts by *this Plan*, I have made *Sections*, of the Banks or Sea Walls, the Trench to be sunk for the River into the Land, and of the forelands, &c. &c. With these preparations, I have made and sent you herewith, *an Estimate* of the Expence, of all Works to be done, and of all Lands to be purchased. And to these Papers I refer the Commissioners as a proof of my zeal, and the best contribution my talents afford, towards so good a Work. While I was thus engaged, I was agreeably surpris'd with the presence of Sir Thomas Page; in London.

I have communicated all these papers to him, and given every explanation which they required. I have called upon him for his assent and authority, and even prayed for the same, as a rational plan, capable alone of coming within the power of the funds, assigned and created for it; I added, that I was ready to attend him to Lynn, to set out the Works as to the varied breadths of all its parts agreeable thereto—No: He hesitated, and now refuses to assent to any other than *the figure*, which he had been at Work upon, *before* the Act pass'd, and *drawn on the Map*, without any concurrence on my part finally given.

Having found him not at all inclined to adopt *my Plan*, I requested him (as may be seen by the Papers which accompany this) to *make out a Plan of his own*, his own Sections, and an Estimate agreeable thereto—No: I cannot obtain this, which I think is but reasonable in itself, and necessary for any discussion, where there is a difference of opinion. I took the liberty of requesting this from him, in justification of my own opinion, and knowing well the good sense of the Commissioners would require Estimates of the probable expence, before a *Plan* would be adopted, which might

never

never be accomplished. After several Conferences, and many Letters, I have at last made out the approves of *the middle line* of the whole as the same is now set forth. He has no objections to the *Section* for the Work, at the *upper end*, and the several dimensions for Banks, Forelands, and Cut itself. But where the lower end of this New Cut joins the old Course, he objects, that I have not allowed the *widths on the old Map*, and *this* is the only matter in difference between us. I think, I have now stated *this Case* correctly and honourably, and you will no doubt compare this short account with his own statement thereof. I now come to *the nicety*, which calls upon the attention of the Commissioners to consider. I need not repeat, that the agreement signed by us, is word for word, copied into the Act, while I was wording *that Paper*, I saw the necessity of some *Latitude* for the Engineers to act upon, whoever *they* might be, that should put it in execution, and I declare upon my honour, that I had his approbation of *that principle*, at the time after some discussion thereon.

Hence came the insertion of the Words, *slope of the Banks not less than 50 feet.*—The breadth of *a Foreland not less than 150 feet.*—And another *Foreland not less than 100 feet.*—The Latitude I *then, now, and ever* shall contend for lies, in the Words *Not less*, else why not *absolute* in measures, of these parts at the lower end, the same as the recital at the upper end. If they are to be *Not less*, it is implied these parts may be *more*, while the general and extreme breadth over all remains absolute, in the solemn words of 834 feet.—Sir Thomas will not allow any of his *attention* to this distinction, and insists on what *the Map* specifies, and, regardless of the Act, he *sets it up* for the greater authority of the two. At times he is also disposed to account the width of 370 feet at the upper end, and 834 feet at the lower end, should be counted *between* the bottom of the Banks or slopes thereof, and not *from the top of one Bank, to the top of the opposite at high Water*.

Having stated all the matters of fact, it is now proper I should explain the reasons, for my construction of the meaning and *purport* of the Act. In the first place, I hold the great imperfection of the Harbour to be, that

it

it is too wide with hardly any deep Water in it. To make it less in breadth is the only way to remedy its various Evils, and I conceive it is referred to Sir Thomas and myself to apply *that very remedy*, by methods most suitable to so good a purpose. I refer to my printed Report for the former, and to a clause in the Act for the latter. It would be strange indeed, therefore, to make the Trench of *the new Cut* of a useless width, to suit a Harbour intended to be narrowed. The Sea Walls are set by *my Plan*, at the lower End, merely to correspond with the imperious Dictate of the *Act*; but *the Trench of the Cut* is narrowed, to correspond with the said intention of narrowing the Harbour. In the next place, I am clearly of opinion, and have stated, that if the Sea Walls are set out at the agreed distance, it is easy to widen *the Cut*, in any time hereafter, but if *that* should be made, and found too wide, it would be impossible to contract it. There can be no doubt but that it would be found *too wide*, if made as insisted on by Sir Thomas. If all the Physical points of the River Ouze are minutely sifted, and the bad consequences which have arisen from the spot of Eau-Brink (so called) being so very wide as it is, are fairly considered; it would be folly in the extreme, to make this *new Cut* too wide. I have referred him to the River Thames, and some Papers thereon, which the House of Commons have published very lately. It is notorious, that the Port of London with all its Shipping and Landing Craft therein, with a much larger quantity of Water carried to Sea thro' it, is not so wide as the Harbour of Lynn between the Ferry Staith and the intended junction of *this Cut* with the said Harbour. In the third place, if the width of the Ouze from Germans Bridge upwards to Denver Sluice and the two Bedford Level Rivers is found to be upon a mean breadth, between the Banks 200 feet, or rather less, and with that narrow width *the scower* of its floods is barely sufficient to keep it clean, and not clear of some bad Shoals therein, what can be more injudicious than to give the same Waters, a sudden increase of width between the Bridge, and the Harbour, *so extended*, as from 200 feet to 834.—The distance will be but three Miles or thereabouts. On

On this head of discussion, I have paid great attention to *the opinion* of the Bedford Level Corporation, which was handed to me in April 1795, and contained in a paper of their Minutes, wherein *they express their serious apprehension, that if the proposed Cut should be too wide, the expectation of the Country with regard to the scowering and keeping open the outfall, might be disappointed.*

I concur with them entirely. But I look a little farther; if the Cut or Trench to be sunk into the Land, by the labour of Men, &c: is made too wide, for the given quantity of Water from above, it will soon get into an erroneous course, rambling from side to side, the same as it is now in the short length between the Bridge and Eau-Brink, and at every sweep of its serpentine line, it will undermine *the Sea Walls*, after having eat away all the great width of forelands provided against such an effect and evil.

With all these reasons, urged decently, yet firmly in so good a cause, I cannot prevail, nor make any impression; the *Estimated Expence* of the one or the other way, he will not attend to, you had an Estimate of Messrs. Golborne and Watté made out from *the lines on the Map*, which Sir Thomas so much insists upon, amounting to £53,200. I have shewn him *that Estimate*, and have shewn him *mine*, and I have pressed as much as possible that *the latter may* be within the powers of the Act, and of the Commissioners, but that the former never can. I have even referred him in a pleasant way to *Shakespear*, who although not an Engineer, has painted emphatically, the consequences of proceeding on *too large a Scale*, and shewn his deep knowledge of the ways of Men. All availeth nothing. To the Commissioners I must leave it, to be considered of, and if, after they have taken some time to do so, and shall appoint *a Day* for their determination, I will readily attend any Meeting, and afford any further assistance in my power.

I am,

Your very Humble Servant,

(Signed) ROBERT MYLNE.

To Mr. William Lemmon.

Estimate

*Estimate of the Expence of Cutting a New River or Cut from Eau-Brink,
to about three furlongs above the Boal at Lynn.*

ARTICLE.

	£.	s.	d.
1. To Spade and Barrow. Work, in executing the said Cut, including Materials for Workmen.— <i>To wit.</i>			
Two upper-thirds, in thickness 913,852 yards, £19,000	21,000	...	...
One lower ditto at bottom, carried off by the Bear, £2,000.....			
2. One hundred and ninety Acres of Land purchased for the same, (the outer Banks exclusive) at £40 per Acre	7,600	...	...
3. Making a Dam cross the upper end of present Channel...	2,000	...	...
4. Erecting a Bridge of Oak over the middle part of New Cut	2,000	...	...
5. Forming and constructing a strong Pier at the entrance below.....	200	...	...
6. } .....	.....	...	...
7. } .....	.....	...	...
✂ Referring to former Estimate by Golborne and Watté.			
8. Sluice or Goale, to be formed for draining Lands Cut off	60	...	...
9. Temporary Sluices at each end, during the Work.....	100	...	...
10. Engines, Pumps, &c. Keeping the Works dry.....	1,000	...	...
	Works, £	33,960	...
11. Agency, Engineers, &c. &c. Contingent Expences, at £10 per Cent.	3,396	...	...
	£	37,856	...
12. Brought up, Works to be done in Marshland, on the West and North sides of the present Channel.....	2,410	5	...
	39,766	5	...
Say £	40,000	...	...

December

*December 21st, 1801, made out by Messrs. Mylne, an Estimate of the
Expence of Marshland Upper Drainage.*

	£.	s.	d.
To cutting a new Drain from Marshland or Islington Drain, into the River Ouzé	602	17	...
To purchase of Land to cut and cover	255	...	...
To a Sluice to discharge the said Waters	1,200	...	...
To two Bridges over the said Drain.....	40	...	...
Ditto, Marshland Upper Drainage .....	.....	...	...
To widening and deepening the old Drain	85	...	...
To a Sluice to discharge the said Waters	250	...	...
To twelve Bridges (to Lands, &c.) over the Drain	96	...	...
<hr/>			
£2,628. 17s. 0d.			
Contingencies, &c. at £5 per Cent.	131	8	...
£	2,660	5	...
Deduct for old Materials	250	...	...
£	2,410	5	...

(Signed) **ROBERT MYLNE,**
Engineer.

From Sir Thomas Hyde Page to Mr. Lemmon.

Bryanston-Street, 12th February, 1802.

Sir,

IN answer to the Letter you favoured me with, requesting that I would fix a time with Mr. Mylne, in the Month of March, to meet the Commissioners of the Eau-Brink Act, at Cambridge, I am sorry to express
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that Military Duty may possibly prevent my being there, but at this time I am not aware that it will; I would however, suggest to you, that you should write to Mr. Mylne, and desire him to name a Day, and inform you of it, that will suit his own convenience, in the Month of March, and should it be in my power, I will meet him at Cambridge. I have been in London since the middle of November, without being able to prevail on Mr. Mylne to go to Lynn, to mark out the Cut, unless I had agreed, contrary to my own Judgment, to adopt his new ideas; I shall therefore in any future correspondence with him, first communicate the subject to you, as Clerk of the Commissioners, to prevent any mistake relative to what may pass between us.

I am, Sir,

Your most Humble Servant,

(Signed) *THOMAS HYDE PAGE.*

To Mr. William Lemmon,

From Sir Thomas Hyde Page to Mr. Lemmon.

Bryanston-Street, 13th February, 1802.

Sir,

I RECEIVED your Letter of the 2d of this Month, relative to my idea of the width of the intended Eau-Brink Cut, at each end, in answer to which, it is only necessary to refer you to the Act of Parliament, which expresses, that at the upper end, the breadth is from the foot of the new Banks!

At the lower end near Lynn, the width is clearly meant to be the distance across between the tops of the Banks.

At least, this is my opinion of the Act, and I believe Mr. Golborne will find that the Cut marked upon the large Map, is with respect to its Dimensions, taken from those expressed in the Act of Parliament.

I beg you will inform Mr. Golborne that I do not mean to deviate from the Dimensions he will find in the Act of Parliament, and as they agree with

with the large Map, termed by Mr. Mylne the Model, I conceive that in making an Estimate, there can be no mistake or difficulty, and it is not necessary to observe to a Professional Man of Character, that an Estimate should be likely to agree with the Expence of the Work

I am, Sir,

Your most Humble Servant,

(Signed) *THOMAS HYDE PAGE.*

To Mr. William Lemmon.

From Mr. Mylne to Mr. Lemmon.

London, February 27th, 1802.

Dear Sir,

I RECEIVED your Letter of the 19th, relating to the proposed Meeting, at Cambridge.—The Letter and Notes within stated, have passed between Sir Thomas Page and myself.—You will observe that the extremes of *the time* limited by Sir Thomas, contains only three days, therefore you will be so good to regulate *your* day of Meeting accordingly, and to let us know as soon as you have fixed this point, as early as you please.

I am, most truly,

Your very Humble Servant,

(Signed) *ROBERT MYLNE.*

COPIES OF A LETTER AND NOTES REFERRED TO BY THE ABOVE LETTER.

From Mr. Mylne to Sir Thomas Hyde Page.

February 23d, 1802.

Dear Sir,

I DID myself the pleasure of waiting on you last Week, in Bryanston-Street, but was not so fortunate as to find you at home, I
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have

have been much engaged of late, more than is usual with me, out and in o'town repeatedly; since then I have a Letter from Mr. Lemmon, of the 19th, wherein he mentions to have had one from you, by that I find you cannot fix a day for the next Eau-Brink Meeting, as possibly Military Duty may prevent you attending, and that you think it would be better for me to name a day that may suit my convenience, and that you would attend if possible. This is extremely polite, and requires my best acknowledgments for such considerate attentions.

It was for the purpose of concerting a day convenient to us both, that I waited on you.—And in order to forward this purpose, which the exigency calls for, be pleased to say any day you please, and I will take the liberty of saying, that any day between the 18th and 25th, or the 25th and 31st of March, will be suitable to me.

I have the honor to be, &c.

(Signed) **ROBERT MYLNE.**

From Sir Thomas Hyde Page to Mr. Mylne.

SIR THOMAS PAGE presents his compliments to Mr. Mylne, is sorry he was not at home when he did him the honour of calling. Mr. Mylne will receive an answer to his polite Letter of the 23d instant, in a day or two, relative to the intended Meeting, at Cambridge.

Bryanston-Street, 25th February, 1802.

From Sir Thomas Hyde Page to Mr. Mylne.

SIR THOMAS PAGE presents his compliments to Mr. Mylne, he is not at present aware that any thing will prevent his being at Cambridge from the 24th to the 28th of March, he therefore leaves it to Mr. Mylne, to fix with Mr. Lemmon upon any day between those dates, that may best suit their convenience.

Bryanston-Street, 25th February, 1802.

Observations

*Observations in answer to Mr. Mylne's Report of the 8th of January, 1802,
by Sir Thomas Hyde Page of the Royal Engineers.*

12th March, 1802.

IT was the intention of Sir Thomas Page, to desire that the Correspondence with Mr. Mylne might be laid before the Commissioners of the Eau-Brink Cut, without any comment on his part beyond the Contents of the Letters, but the Paper dated 8th of January last, written by Mr. Mylne and meant as a Report, requires from its nature some answer. Mr. Lemmon is therefore requested to lay those observations likewise before the Commissioners, Sir Thomas Page wishes to be clearly understood that he has at all times considered the Act of Parliament as the first and greatest authority for the conduct of Mr. Mylne, and himself, in what they had to do under it.

The dimensions named therein, were agreed upon between them, and of course they thought them the best for the intended Cut, and although either of them as Engineers, was at liberty to propose certain deviations from them, the other was at liberty to object; and if he determined to abide by the dimensions as specified in the Act, those dimensions, it was conceived, would thereby be unalterably fixed; as no deviation could be introduced, unless by the mutual approbation of the two Engineers. Sir Thomas Page now holds the opinion he did at first, that the dimensions in the Act are preferable to any other that could be adopted, and he has uniformly expressed to Mr. Mylne, that this his opinion was unalterable; it was therefore not likely that he should at the solicitation of Mr. Mylne, make a sacrifice of his own Judgment by adopting an alteration in the breadth of the Cut, which he thought would be ruinous to the Harbour of Lynn.—A plan was drawn from the dimensions named in the Act, upon the large Map which certainly has great weight with Sir Thomas Page, and it also had equal weight in the opinion of Mr. Mylne, so lately as the 26th November last, as appears
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in his Letter, wherein he calls *it the Model* for the work; why the subsequent change has happened in his opinion can only be known to himself, but his Letter or Report of 8th January last, being a direct contradiction of his former statement of the 26th November, shews, that in fact he has no fixed ideas or plan upon the subject. He could have had no objection to the dimensions when the Act passed, and it cannot be supposed that he then gave a preference to what he did not think the best; it is equally clear that so lately as the 26th of November, he meant to support the same opinion, by calling the Plan upon the large *Map the Model* for the Work. The contradiction which is found in his Letter, in first stating the importance of the *Model Map*, and afterwards endeavouring to set it aside altogether, could not meet the approbation of Sir Thomas Page, and he was under the necessity of objecting to the proposals of Mr. Mylne, for altering the Dimensions expressed in the Act; his own opinion having been often repeated to Mr. Mylne, that no alterations whatever was necessary, Mr. Mylne has given a singular quotation from Shakespeare, and also an account of the currents in the River Pô, as likewise some dimensions from the breadths of the Thames above Blackwall. These Papers require little Notice further, than that the two Rivers he has mentioned, do not afford cases in point of comparison with the Ouze; the Pô, having no Tide and the Thames at Blackwall being about thirty Miles from the Embouchûre: whereas that of the Ouze, at the point alluded to, is little more than a tenth part of that distance from Lynn Deep. A just comparison between Rivers should be at equal distances from their Mouths, or Embouchûre; without which distinctions the judgement may be misled, but no true idea formed.—The statements contained in Mr. Mylne's Report of the 8th of January, are so blended with imaginary projects for narrowing Lynn Harbour, and his own printed Report, that it is scarcely possible to form a just idea of his meaning; further than his endeavour to expose the contents of his Letter of the 26th of November, with *the Model Plan*, and thereby to substitute a power in himself,

himself, to alter the Dimensions of the Cut according to his fancy.—The alterations he wishes to be introduced are singular, he does not try to change the seat of the Banks, but to put a great part of their breadth upon Private Property, and without previously Purchasing Lands to afford space for an interior Ditch or Fence; he sits his Banks at the lower end of the Cut at eight hundred and thirty-four feet distance between them, the same as the Act requires; the excavated part is only meant to be by the Act four hundred and eighty-four feet wide, but Mr. Mylne, in his new Plan, makes it three hundred and sixty-four feet only, by increasing the Convex foreland a hundred feet, and each interior base of the slopes ten feet in addition to the breadths specified in the Act, thereby narrowing the excavated Cut a hundred and twenty feet. This small breadth, three hundred and sixty-four feet would be his Trench or Water Course at the junction above Lynn, according to his new Plan, what authority therefore has Mr. Mylne for the assertion in his Report of the 8th of January, that between Germans Bridge and the Harbour, the breadth will be increased from two hundred feet to eight hundred and thirty-four feet, in a distance of about three Miles? the narrowest part of the Harbour, at the Ferry, being eight hundred and thirty four feet, and as by the Act and large Map *the Model*, the junction of the excavated course would only be four hundred and eighty-four feet; it is evident that an ample breadth was reserved by the Act, to remain unexcavated, for the Base Lines under the slopes of the Banks and forelands, but Mr. Mylne not satisfied with this ample breadth, wishes still to diminish the width of the Cut a hundred and twenty feet. He endeavours to make it seem that this narrow Cut would serve Lynn Harbour, but the direct reverse would be the certain consequence, and it cannot require the talents of an Engineer to perceive, that from a Cut only three hundred and sixty-four feet wide, (as would be the case by Mr. Mylne's new Plan) a current of Water suddenly expanding from it into the breadth of the Harbour of eight hundred and thirty-four feet, would deposit the Sand brought from the

the narrow new Channel or Cut, and instead of scouring away the present Shoals they would be thereby encreased.—The Flood Tide would be suddenly checked in entering the Cut, and the velocity of the Stream lessened thro' the Harbour, which would be another cause of its injury and increase of Shoals, while the Torrent thro' the narrow Cut above, would be too great for any kind of Navigation upon it.—Immenfe quantities of Sand or Soil would be carried with the Flood Tide from the sides and bottom of the Cut, and from Bars or Shoals higher up the old River, which the returning Ebb might not carry back again, before the Upland Waters had risen above the banks and inundated the Country. These things would be likely to happen, and whatever may be the idea or zeal of Mr. Mylne, the Country should pause a little before such serious consequences are risked. With regard to Estimates, they should always be such as to be likely to answer the expence of the Work; no Estimate can be considered as proper, if made to suit an inadequate Fund, and therefore can have no weight with Engineers of experience, or with the Gentlemen of the Country; Papers deserving the name of Estimates should have been regulated by calculations from practical knowledge, without leaving one third part of the Work, as Mr. Mylne has done, under an idea of being performed by the Engine called the Bear.—The Bear would, I fear, (notwithstanding the favorable opinion of Mr. Mylne) soon require some better aid to operate at all in the narrow Cut, in removing a Bar of the natural Bottom, three Miles in length.—The narrow part of the Ouze near Germans Bridge, and the breadth of the Harbour at the Ferry, were fixed upon as Governing Points, to regulate the Dimensions of the Cut; the principle which Sir Thomas Page thought essential, being to observe the natural width of the Harbour as far as the junction above Lynn, and from thence upwards, to have the Cut gradually diminish in breadth, till it united with the Old Channel of the River.—The attention of the Country had been prior to that time much occupied with a variety of Projects, some in favour of ob-

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serving the natural course of Rivers as much as possible, and others in favour of new straight lined Cuts.—Mr. Mylne had a Project printed, recommending straight lines, and he was of course desirous of adopting his own idea. There was however, an insurmountable difficulty in the way of his project, from the nature of the ground thro' which the Cut was to pass, the lines of the junction at Eau-Brink with the old River, being nearly at right angles, and making it impossible to avoid a Curve.—There was also an angle at the junction with the Harbour above Lynn that made another Curve absolutely necessary.—These circumstances consequently caused the straight line Plan to be altered, and a further discussion upon it between Sir Thomas Page and Mr. Mylne, who held opposite opinions, was unnecessary.—The intended new Cut or River when fairly traced upon the large Map to correspond with the breadths at the Ferry and near Eau-Brink, had outlines or boundaries sufficiently agreeing with what is generally observed in the operations of nature in Tidal Rivers, and from which there did not appear to be any chance of a dangerous result, should the course of the River be turned into a new Channel in that direction.—It was however clear to the understanding of every one, that the execution of such a Work, whenever done, would of necessity be expensive, as the best formed and well consolidated Banks would be required as a boundary against the Sea and floods from the Country.—The Banks, as boundaries for the new Cut, being laid out to fall in with the old River and Harbour, in a way that seemed to be the most secure, that could be adopted, considerable breadths were afterwards allowed to be left as forelands between them, and the Channel intended to be excavated as a Water course, and as one of those forelands at the junction above Lynn is a hundred and fifty feet, and the other a hundred feet, agreeable to the Act; no one could foresee that Mr. Mylne would attempt any subsequent alteration to narrow the Channel still further, but extraordinary as it must seem, he now endeavours by his new Plan, to make the excavated Water course at the junction

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tion

tion above Lynn, three hundred and sixty-four feet wide *only*, while the Banks stand upon the same line at eight hundred and thirty-four feet, which latter width he allows is conformable to the Act of Parliament. It may be right to repeat, that Mr. Mylne in his Letter of the 26th of November, expresses that he received the large Map as the *Model* of the Work from the proper Officer of the Commissioners, it is consequently proper to enforce the execution of it as it agrees with the Dimensions specified in the Act of Parliament, and on that account has the full approbation of Sir Thomas Page.

Memorandum.

The Dimensions in the Act of Parliament for the Cut at the junction above Lynn, are—

For the Concave or East Foreland	150 feet.
Base of interior slope of each Bank 50 feet	100 feet for both..
Convex or West Foreland	100 feet.
Leaving for the excavated Water Course or Channel...	484 feet.
Total Width from Bank to Bank	834 feet,
	or 278 yards.

Memorandum.

Dimensions in Mr. Mylne's new Plan.—viz.

Base of interior slopes, each 60 feet.....	120 feet for both.
Concave or East Foreland	150 feet.
Convex or West Foreland	200 feet.
Leaving for Water Course or excavated Channel	364 feet.
Total Width from Bank to Bank.....	834 feet,
	or 278 yards.

N. B.

N. B. The above statement is from Dimensions shewn by Mr. Mylne to Sir Thomas Hyde Page, at the New River Head, (marked upon Sections), which seemed to agree with Mr. Mylne's new Plan, since delivered to the Commissioners.

(Signed) *THOMAS HYDE PAGE.*

From Sir Thomas Hyde Page to Mr. Lemmon.

Bryanston-Street, 23d March, 1802.

Sir,

I AM very sorry that reasons of a Military nature will prevent my having the honor of meeting the Commissioners of the Eau-Brink Act of Parliament, on Thursday next, at Cambridge, but notwithstanding the regret I feel from this circumstance, it will not, I hope, cause any difficulty in the objects that will come under consideration, as my correspondence with Mr. Mylne, and answer to his Report, will convince the Commissioners of my desire to mark out the Cut, or see it done according to the dimensions expressed in the Act of Parliament, and I am exceedingly concerned that Mr. Mylne should have carried his desire so far as he has done, to induce me to agree in opinion with him, as from our first Meeting in November last, he might have perceived that his solicitations could not make me alter my opinion, and act contrary to my own Judgment and Conscience.

I mean to discharge the Trust reposed in me by the Act of Parliament, in the most conscientious way, and it will I trust, appear to the Commissioners, that I can have no other motive than the benefit of the Country, it not being my intention to accept any salary, reward, or remuneration, beyond a reimbursement of the expences, I have and may be at. Should the Commissioners do me the honor to read the whole of the correspondence I have had with Mr. Mylne and afterwards his report and my observations as an answer,

fewer, their own judgment will suggest what may be further necessary upon the occasion. And altho' from the reasons I have alluded to of a Military nature, I cannot be at Cambridge, I have not the smallest doubt of obtaining permission from the Ordnance to see the Cut set out on the ground with Mr. Mylne, provided he will observe the dimensions that are printed in the Act of Parliament.

I have the honor to be, Sir,

Your most Obedient, and

Most Humble Servant,

(Signed) *THOMAS HYDE PAGE,*

ROYAL ENGINEER.

From Mr. Mylne to Mr. Lemmon.

London, April 15th, 1802.

Sir,

ON my return to Town from the last Meeting at Cambridge, I kept myself in readiness to attend to any intimation from Sir Martin Folkes, for a Meeting between Sir Thomas Page and myself, on the subject of the Eau-Brink.

And observing no movement on their part, I waited on Sir Martin at his own House in Cavendish-Square, he was not at home, I left my name, and that I wished to see him.

Hearing nothing further, I went to the House of Commons, and found him there, I mentioned that I was anxious every method should be taken on my part that some explanation should take place on the well known difference of opinion if it was possible, and that I knew no better way would be than meeting at his House, and in his presence, whereby he could judge and bear testimony to all that might pass. We had much conversation on the meaning of the Clause in the Act. Since that period I have heard nothing further, and

and I should therefore suppose there is nothing more to be expected from that quarter.—I am going out o'town to morrow by an appointment of long standing, on the upper Navigation of the River Thames, and deferred that business to the last moment that I might (as I have stated) pay the utmost attention to the reference made to Sir Martin Folkes at your last Meeting.—Be so good to submit this Letter to your Meeting of Tuesday next at Ely.

I am, with much respect,

Your very Humble Servant,

(Signed) *ROBERT MYLNE.*

If an application to Parliament should be thought proper, it might be done this Session, by presenting a Petition for leave to present the real and necessary Petition.

From Sir Thomas Hyde Page to Mr. Lemmon.

Bryanston-Street, 17th April, 1802.

Sir,

I RECEIVED your Letter of the 29th ult. since which time I have had no correspondence with Mr. Mylne, am therefore not able to inform you what his present ideas are, relative to the Eau-Brink Cut, but my own opinion cannot be altered. I have uniformly expressed my determination to abide by the Dimensions that are in the Act of Parliament, it consequently is not necessary to discuss any points with Mr. Mylne concerning his new project. I herewith transmit a Copy of a Letter I have written to the Marquis Townshend, at whose request I was originally induced to take any part in projects for Draining the Fens. Its contents will explain to the Commissioners the necessary distinction that should be understood

stood between Mr. Mylne and myself, as Engineers, with whom I shall hereafter have no communication beyond seeing the Cut marked on the Ground, should the Dimensions in the Act of Parliament be adopted.

I am, Sir,

Your most obedient,

Humble Servant,

(Signed) *THOMAS HYDE PAGE.*

From Sir Thomas Hyde Page to Marquis Townshend.

(Referred to in the preceeding Letter.)

Bryanston-Street, 10th April, 1802.

My Lord,

I AM sorry that it has not been in my power to send your Lordship the Correspondence (which accompanies this Letter) sooner, as I have been much engaged in some Family Affairs, and which prevent my having the satisfaction of waiting on your Lordship this Morning. It is my particular wish that your Lordship would consider the Correspondence, as I cannot continue a prolix and unnecessary discussion with a Civil Engineer, who is engaged and paid by the Eau-Brink Commissioners for his Services, while I feel the propriety, as a Military Officer, of declining any Salary or Reward, without the previous approbation of the King, or the Master General of the Ordnance. This was my uniform conduct so long since as the American War, when your Lordship was at the Head of the Ordnance, and when at your request I gave an opinion for Draining the Fens to the Bedford Level Corporation; but I declined at that time accepting the offer of any kind of pecuniary Reward; I have not in Ireland, or otherwise in a single instance, received either pay or remuneration for Services beyond my Military employment, without having first obtained his Majesty's approbation,

approbation, or that of the Master-General of the Ordnance.—I take the liberty of making this observation, as it may seem to the Commissioners of the Eau-Brink Cut, with whom I am but little acquainted, that I may be called upon as one of their Officers to Estimate and make Reports, as Mr. Mylne has thought proper to do.—I had not obtained the approbation of Lord Chatham to attend at the last Meeting at Cambridge. The previous permission of his Lordship should have been asked by the Commissioners, as a request from the Country, which I conceive would have been granted, but it did not occur to me soon enough, to let the Commissioners know that this official form was necessary, prior to the Cambridge Meeting.—I therefore wrote to the Commissioner's Clerk, that reasons of a Military nature prevented my attendance; had I asked Lord Chatham, in the first instance, it might have been supposed that I was soliciting a favour for myself, and through mistake, there might have been an idea, that I was employed and paid for joining with Mr. Mylne to Drain the Fens, in preference to Military Duty.—I have not made Estimates for the Eau-Brink Cut, because the Act of Parliament does not require them from me; but had it done so, I should have felt (as a Man of Honor) the necessity of an Estimate to cover the Expence, instead of naming a sum as Mr. Mylne has done, of about one-third of what the Cut would cost, even if his own Dimensions were adopted, which however for the safety of the Country they never ought to be.

I have the honor to be,

My Lord,

Your Lordship's most obliged,

Humble Servant,

(Signed) *THOMAS HYDE PAGE.*

From

From Mr. Lemmon to Sir Thomas Hyde Page.

Sir,

ON the other half I fend you Copy of an Order made by the Eau-Brink Commissioners, at their Meeting on the 23d instant. I received your favor of the 17th, which I laid before the Commissioners at their said Meeting, who are very sorry to find that you and Mr. Mylne cannot agree; they however hope and trust, that you will nominate a third Person to settle the difference between ye.

I remain, Sir,

Your most obedient,

Very Humble Servant,

(Signed) *WILLIAM LEMMON.*

Downham, 29th April, 1802.

Copy of Order referred to by the above Letter.

23d April, 1802.

AT an adjourned Meeting of the Commissioners for carrying into execution the Eau-Brink Act of Parliament, holden at the White-Hart Inn, in Ely, on Friday the twenty-third day of April, 1802,—

THE REV. GEORGE JENYNS, IN THE CHAIR;

The following Order was made, Viz.

“Whereas it appears to this Meeting, that as Sir Thomas Hyde Page and Mr. Mylne have not agreed as to the form and Dimensions for making the said new River or Cut, and it being the desire of the Commissioners to have a third Person appointed to settle the difference between them,”

“It

“ It is therefore ordered that the Clerk do write to Sir Thomas Hyde Page and Mr. Mylne, and request them to nominate a third Engineer for that purpose, and that they be requested to transmit such answer to the Clerk, on or before the first day of June next.

(Signed) *WILLIAM LEMMON*,
CLERK TO THE COMMISSIONERS.

From Sir Thomas Hyde Page to Mr. Lemmon.

Bryanston-Street, 27th May, 1802.

Sir,

I WAS favoured with your Letter of the 29th ult. informing me that it was the desire of the Commissioners to have a third Engineer nominated to settle the difference of opinion that had arisen relative to the Eau-Brink Cut, in answer to which I beg to acquaint you, (for the information of the Commissioners), that their wish perfectly accords with my own, but I am informed by a Gentleman of the Law, who has been consulted, that the Act of Parliament does not give me sufficient power to join in the nomination of a third Engineer for the dimensions of the Cut, altho' the same Act for all other Works contains authority for a third Person to arbitrate upon a difference of opinion; I can therefore only submit the consideration to the Commissioners, and request that they will get the point ascertained, and should it appear that I am mistaken in the construction of the Act, I shall without loss of time, be ready to join in the nomination of an Umpire.

I am not acquainted with any Civil Engineer of experience, who has not already either reported upon draining the Fens or been in Evidence respecting the Cut, but it would be my intention, if properly authorized, to name Major Rennell, who has described in the most able and scientific way, the Currents of the River Ganges, and is consequently well qualified to decide upon the present question.

I have no Personal acquaintance with Major Rennell, and the knowledge I have of his abilities is from his Writings.

Colonel Twiss of the Royal Engineers, and Major Mudge of the Royal Artillery, are also known to be scientific Men of strict honor and great abilities, I should therefore approve of any one of the three Gentlemen I have mentioned, as Umpire upon this occasion.

I hope the Commissioners will clearly understand, that I am very desirous of complying with their request, but the point for previous consideration is the legality of the proceeding, they will therefore be good enough to relieve me from the doubt that has arisen and thereby enable me to terminate the discussion with Mr. Mylne.

I am, Sir,
Your most Obedient,
Humble Servant,
(Signed) *THOMAS HYDE PAGE.*

From Mr. Lemmon to Sir Thomas Hyde Page.

Downham, 29th May, 1802.

Sir Thomas,

THE Eau-Brink Act of Parliament directs, that the Cut shall be set out conformable to the Orders and directions of you and Mr. Mylne, it is therefore certainly requisite that you and he should agree as to the setting it out, that not being the case at present, the Commissioners conceive that you and Mr. Mylne can appoint a third Engineer to settle that difference between ye, and that both of you do then concur in the determination of such third Person. The Act certainly does not give any power for a third Person to set out the Cut, and the Commissioners reason for wishing you to nominate such Person, is only for the purpose of determining the construction

struction of the Clause for setting out the Cut, which appears to be the only difference between ye; I think if you and Mr. Mylne were to meet, you would not find any difficulty in settling this point, and which I hope you will soon do.—I must request the favor of a line as soon as convenient, informing me whether you are likely to agree or not; in the mean time,

I remain, Sir,

Your most Obedient,

Very Humble Servant,

(Signed) *WILLIAM LEMMON.*

From Sir Thomas Hyde Page to Mr. Lemmon.

Bryanston-Street, 7th June, 1802.

Sir,

By your favor (which I have received) I cannot help believing you have mistaken my meaning conveyed in the Letter of the 27th of last month, which was meant for the Eau-Brink Commissioners, and until I have a clear and explicit answer from them, as to the explanation of the Act, it is impossible for me to say more than that Letter expressed upon the subject.

I hope and trust that the Commissioners will obtain a regular Law Opinion upon the Clause respecting the Cut, the doubts that have arisen being so very serious, and involving either the improvement or ruin of a rich and extensive Country.

I am, Sir,

Your most Obedient,

Humble Servant,

(Signed) *THOMAS HYDE PAGE.*

From Mr. Lemmon to Mr. Mylne.

Downham, 31st May, 1802.

Sir,

I RECEIVED a Letter from Sir Thomas Hyde Page, in answer to one I sent him on the 29th April, similar to that I sent you on the same day, and underneath is a Copy of Sir Thomas's Letter, as also a Copy of my answer to him.—I should wish to be informed as early as possible, whether it is likely you and Sir Thomas will agree to the nomination of a third Person, to settle the difference which now exists between ye.

And am, Sir,

Your most Obedient,

Very Humble Servant,

(Signed) WILLIAM LEMMON.

Copy of a Letter from Sir Thomas Page to Mr. Lemmon. (See Letter of 27th May, 1802.)

Copy Mr. Lemmon's Answer. (See Letter 29th May, 1802.)

From Mr. Mylne to Mr. Lemmon.

London, July 8th, 1802.

My good Sir,

I HAVE waited since your Letter of 31st May, to see if any thing *more* was to be produced from you or Sir Thomas Page.—Having heard nothing from you, or of him, I now beg leave to answer your favour.

At the rate, and in the manner proceeded on, in transmitting Letters between yourself and *your two* Correspondents, I am afraid there will be more difficulty to procure the settlement of an Umpire, than leading off the flood and drainage waters of *the Ouze* thro' Lynn into the Sea.

But

But however, in answer, I declare that I am ready to agree to the nomination of a third Person to settle the difference which now exists between Sir Thomas Page and myself.—And that upon my honor, I will abide by the determination of such Person since *this Method* is approved of by the Commissioners, and since the same is found and considered no ways derogatory to the Act of Parliament, as appears by your last Letter to Sir Thomas on the 29th of May, 1802.

As Sir Thomas has objected to any within his knowledge of the Corps of Civil Engineers, out of Civility I shall abide by this *Veto*, against my Brethren, altho' this is alone a professional question of Civil Engineering, and I should think it improper to return such a Compliment to the Corps of Military Engineers.

And yet I cannot however approve of any of the particular Gentlemen whom he mentions in his Letter to you of the 27th of May, all of them Military Men.

Major Rennell is an excellent and learned Geographer, formerly Engineer in the East-India Company's Service.—He is my old and esteemed acquaintance, and by chance I have had occasion to know he was informed, and conversed with, by Sir Thomas Page, on the *Eau-Brink* business and its peculiarities.

With Major Mudge I have the pleasure of an intimate acquaintance, and to him I gave lately the *Base line* from Lynn City to Alderman Cary's House, to serve and be of use to his great Work of the Survey of this Kingdom, if he would have occasion for such a good *Datum*.

From this intimacy with him, and knowing he cannot find time for this Business from his Publick Duty, I must beg leave to decline my approbation.

As to the third, being a perfect stranger to me, I cannot think it would be right to assign any reasons, since Colonel Twiss is in situations of high trust publickly, and engaged privately in matters which do not recommend him to my powers of discernment and professional esteem, as any ways conversant in this particular Line of *Civil* (not Military) Art.

There

There is a Person who is of neither of these two particular walks in life, and who alone is qualified by his endowments, general knowledge, and professional Education.—And tho' I know him, equal to the whole circle of this question, I have not conversed with him on this subject.

He is a publick Man, in some respect of independent mind, as well as fortune, he is a good Astronomer, and the best Marine Geographer in this Country, he understands Shipping, Navigable Rivers, and Harbours, particularly.

He is a good Mathematician and Machanick, I would name *such a qualified person*, and if he does not answer this Description in the opinion of *all Men*, I will in such a case give up all hopes and expectations of any other Gentleman being found so fit for the object of both Parties.

I am, with great respect,

Your very Humble Servant,

(Signed) ROBERT MYLNE.

Proceedings at a Meeting of the Commissioners held 26th of August, 1802.

At a Meeting of the Commissioners of Drainage, for putting in further execution the Eau-Brink Act of Parliament, holden (by adjournment) at the Rose Inn, in Cambridge, on Thursday the twenty-sixth day of August, 1802.

WILLIAM HENRY FELLOWES, ESQ.—IN THE CHAIR.

In pursuance of an Order made at a Meeting of the Commissioners on the twenty third of April last, a case has been stated, and the Opinion of Mr. Wilson obtained thereon, of which the following is a Copy.

Case.

CASE.

By an Act of Parliament, Intituled "An Act for Improving the Drainage of the Middle and South Levels, part of the Great Level of the Fens called Bedford Level, and the Low Lands adjoining or near to the said Levels, as also the Lands adjoining or near to the River Ouze in the County of Norfolk, Draining through the same to Sea, by the Harbour of King's-Lynn, in the said County; and for Altering and Improving the Navigation of the said River Ouze, from or near a Place called Eau-Brink, in the Parish of Wiggenhall Saint Mary, in the said County, to the said Harbour of King's-Lynn; and for Improving and Preserving the Navigation of the several Rivers communicating with the said River Ouze;" The Commissioners for Drainage under the said Act, are authorized and required to make a certain River or Cut as therein described, conformable to the Orders and directions of Sir Thomas Hyde Page, Knight, and Robert Mylne, Esquire, (See Act, folio 11 and 12).

The said Sir Thomas Hyde Page and Mr. Mylne have been called upon by the Commissioners, to set out the said River or Cut agreeable to the Act, but they cannot agree as to the Dimensions thereof, each of them having put a different construction upon that part in the Act which directs the setting out the Cut.

By another Clause in the Act, (folio 19), It is Enacted "That in all Cases where there shall be any difference of Opinion between the said Sir Thomas Hyde Page and Robert Mylne, or between the Engineers to be appointed in their place and stead as aforesaid, or between either of them, and the Engineer to be appointed in the Place and stead of the other of them, touching any of the Works, Matters, and Things aforesaid, save and except as to the dimensions and General form of the said intended new River or Cut, which are, and is to be such as herein before directed, and no other, it shall be lawful for the two Engineers so differing in Opinion, and they are hereby required to call in to their assistance, some other able and experienced Engineer, by way of Umpire."

"Unless

“ Unless the said Sir Thomas Hyde Page and Mr. Mylne do agree to
 “ set out the Cut, or to nominate a third Engineer to settle the difference
 “ which now exists between them, the Commissioners conceive they have
 “ no Power whatever to put the Act in execution.

“ *Your Opinion is therefore requested,*

“ 1st.—Whether the said Sir Thomas Hyde Page and Mr. Mylne have
 “ any Power by the Act, to nominate a third Engineer to
 “ set out the Cut ?

“ 2d.—If they have such Power and refuse to exercise it, then whether
 “ upon application being made to the Court of King’s Bench
 “ a Mandamus can be obtained to compel them to nominate
 “ such third Engineer, or what are the most adviseable steps
 “ for the said Commissioners to pursue in order to enable
 “ them to carry the Act into execution ?

OPINION.

“ The Act of Parliament seems to presume, that the dimensions and
 “ form of the new Cut are so clearly expressed in folio 11 and 12, that no
 “ difference could arise as to those Points.—Accordingly the Engineers are
 “ ministerially to follow the directions of the Act in these particulars.

“ If they were to differ in other Points, as for instance, in the *direction*
 “ of the Cut, they might call in a third Engineer, but as they differ in their
 “ Construction of the dimensions which are specifically excepted in folio 19,
 “ I think they have no power to nominate a third Engineer, as Umpire,
 “ for the purpose of putting a construction on the Act in this respect.—
 “ They may take what advice and assistance they please, but cannot invest
 “ a third Engineer with any authority.

“ Supposing that Sir Thomas Page and Mr. Mylne ultimately differ, and
 “ do not obey the directions of the Act in this respect, after being required
 by

“by the Commissioners, or if they have already been so required, I conceive the Court of King’s Bench, on affidavit of the facts, would grant a Mandamus to compel them.—And I think it would be no answer to such Mandamus that they differ in opinion on the construction, but that the Court would oblige them to proceed to the best of their judgment. The ultimate end of such a Proceeding, if resisted, would be, an attachment against both.

“It is probable however that in the course of the Proceeding some temporary would be thought of, either by the Court putting a construction on the Act, or putting it in some way of accommodation.

“I think this is the only way the Commissioners of Drainage can proceed, unless either Sir Thomas Page or Mr. Mylne should refuse to Act any further, in which case a new Engineer might be chosen as the Act directs.—If it is meant to begin the Works this Summer, the application should be made as early as possible, for the Mandamus to obtain a decision in the approaching Term.

GEORGE WILSON.

Lincoln’s Inn, 15th June, 1802.

In consequence of the above Opinion, the following Notice was signed by the Commissioners present at this Meeting, and directed to be served upon the said Sir Thomas Hyde Page and Mr. Mylne, (that is to say):

“We whose Names are hereunto subscribed, being the Commissioners for Drainage, appointed in and by an Act of Parliament, passed in the thirty-fifth Year of the Reign of his present Majesty, Intituled “An Act for Improving the Drainage of the Middle and South Levels, part of the Great Level of the Fens called Bedford Level, and the Low Lands adjoining

“joining or near to the said Levels, as also the Lands adjoining or near to
 “the River Ouze, in the County of Norfolk, draining through the same to
 “Sea by the Harbour of King’s-Lynn, in the said County; and for Altering
 “and Improving the Navigation of the said River Ouze from or near a Place
 “called Eau-Brink, in the Parish of Wiggenhall Saint Mary, in the said
 “County, to the said Harbour of King’s-Lynn, and for Improving and
 “preserving the Navigation of the several Rivers communicating with the
 “said River Ouze,” present at a Meeting held by the Authority of the
 “said Act, at the Rose Inn, in Cambridge, on Thursday the twenty-sixth
 “day of August instant, Do hereby require you forthwith to determine,
 “mark, and stake out, the several dimensions as well as the figure, form,
 “situation, and direction, of the intended New River or Cut, out of the
 “River Ouze from the Common Salt Marsh at or near a Place called Eau-
 “Brink, in the Parish of Wiggenhall Saint Mary, in the County of Nor-
 “folk, and to rejoin or fall into the present Course of the said River
 “Ouze, at or near the Harbour of King’s-Lynn, in the said County, and
 “of the several parts thereof, agreeable to the general Plan or outline men-
 “tioned in the said Act; and also the length and extent of the several parts
 “thereof, together with the manner of its junction with the present River,
 “between Germans Bridge and Eau-Brink, at the Upper end thereof,
 “and between the lower parts of it and the Boal Wharf, at the lower end
 “thereof, according to the directions of the said Act of Parliament.—Da-
 “ted this twenty-sixth day of August, 1802.

(Signed)

“To Sir Thomas Hyde Page, Knight; and
 “Robert Mylne, Esq. Engineers; ap-
 “pointed by the Act of Parliament
 “above-mentioned.”

W. H. FELLOWES,
 GEORGE JENYNS,
 THOMAS GROUND,
 OWSLEY ROWLEY,
 H. P. STANDLEY,
 J. HOWELL,
 S. WELLS,
 W. WILLIAMS.

From

From Sir Thomas Hyde Page to Mr. Lemmon.

Duke-Street, Portland-Place, 28th August, 1802.

Sir,

THE Notice from the Commissioners of the Eau-Brink Drainage has been delivered to me, and altho' I am not yet able to set out, having been indisposed some days, I hope it will be in my power to see you at Downham by Thursday or Friday next, and it will afford me satisfaction to see the intended Cut traced according to the Act of Parliament, which by the above Notice dated the 26th instant, I find to be the wish of the Commissioners.

I am, Sir,

Your most Obedient,

Humble Servant,

(Signed) *THOMAS HYDE PAGE.*

From Sir Thomas Hyde Page to Mr. Lemmon.

SIR THOMAS PAGE presents his Compliments to Mr. Lemmon, he is now on the Road to Downham, and hopes to see him there in a few days, but not so soon as to-morrow, as he is under the necessity of stopping at Barkway, which may cause some delay.

Sir Thomas Page wishes to see Mr. Golborne at Downham, on Monday Morning, to go with him to examine the Line from Eau-Brink to the part, near Lynn, that is already marked on the Ground.

Ware, 1st September, 1802.

From Sir Thomas Hyde Page to Mr. Lemmon.

Downham, 4th September, 1802.

Sir,

BEING desirous of complying with the wishes of the Commissioners of the Eau-Brink Act, expressed in their Notice and Order of the 26th ult. I request that you will inform Mr. Mylne of my arrival this day at Downham, and that it is my desire to see him here, agreeable to a similar Notice, which I presume has also been delivered to him on their part, that we may "forthwith" together superintend the operation of marking on the Ground, the Lines for the intended Eau-Brink Cut, according to the Directions in the Act of Parliament.

I have the honor to be, Sir,

Your most Obedient,

Humble Servant,

(Signed) *THOMAS HYDE PAGE.*

From Sir Thomas Hyde Page to Mr. Lemmon.

Downham, 8th September, 1802.

Sir,

As you have not heard from Mr. Mylne in answer to the Letter you wrote to him, and cannot therefore acquaint me when he is likely to arrive, I am induced to make an offer of proceeding to mark out (on the Ground) the several Lines of the Eau-Brink Cut, as directed by the Act of Parliament, notwithstanding his absence, if you will previously obtain his approbation; this I am of opinion he may with great propriety authorize upon his own non-attendance, as he in a former instance traced the Centre Line with my approbation, when I was in Ireland.

I have the honor to be, Sir,

Your most Obedient,

Humble Servant,

(Signed) *THOMAS HYDE PAGE.*

From

From Mr. Mylne to Mr. Lemmon.

Amwell, near Ware, Herts, September 8th, 1802.

Sir,

YOUR Letter of the 5th travelled after me, to this place. I have wrote a Letter to Mr. Golborne, and send it to you inclosed, that you may read it, take a Copy, and forward it to him where he may be, as he may be from home, if I was to direct it there.—From what I conceive of Sir Thomas Page's movements, Mr. Golborne may be at Lynn at this time.—If so, all will be well, at least in this respect.

Your expectation of hearing from me on Tuesday was not possible, for I left town on Sunday, and Sir Thomas's spare time of five days expires to night, and before *this Letter* leaves *this place* by the Post.

To leave London,—arrive at Downham,—and to write you there,—to write me in London,—to meet him in Lynn,—forthwith, together to superintend, &c. &c. what is not agreed on, is not my way of doing business.

I am,

Your very Humble Servant,

(Signed) *ROBERT MYLNE.*

From Mr. Mylne to Mr. Golborne.

Amwell, near Ware, Herts, September 8th, 1802.

MR. GOLBORNE.

Sir,

If you have not, I request the favour you will meet Sir Thomas Page on the New Cut, between Lynn and the Eau-Brink for the proposed Bed of the Ouze; shew him the line of Poles set up last Autumn, for the Middle line of the whole undertaking, which determines, marks, and stakes out, the figure, form, situation, and direction, of the said Middle

dle line of the new River or Cut, and of the several parts thereof, longitudinally, agreeable to the general Plan or outline mentioned in the Act of Parliament,

It is for Sir Thomas to accede or object, at his pleasure, to this principal and preliminary point, and to convey his sentiments thereon.—It was performed with his previous knowledge and approbation.

I suppose you will have with you at Lynn, the old Plan made before the Act of Parliament had any existence, and also the new Plan made and formed in all respects, agreeably to the general Plan or outline mentioned in the Act, and which is the only Plan which the imperious circumstances of Drainage, internal Navigation, and a Harbour, in a combined point of view, demands of the Commission created by the Act for the Country.

Many other Plans, varied and differing from each other, might be made agreeably to the Act, and yet different from the former old one, and the latter new one formed by me.

You will be so good to proceed thereafter to the setting of the different Widths of the Cut from this Middle line of the New Plan, between the Banks at High Water mark; and to do this, I doubt whether you can procure any Workmen fit for the purpose at this untoward time of the harvest, in that part of the Country.—Low stakes, 10 feet out of the Ground, opposite to each Pole of the Middle line will be sufficient, all the rest follows of course, and need not be set out now, unless Sir Thomas desires it, but let alone at present as more proper for execution,

I have taken this liberty for your doing so, because it is not possible for me to leave London, at this period, on account of Works being in progress to be done before the rainy Season and short days set in; and to leave which, without Notice of a few Weeks for proper arrangements to take place, would be dishonourable in me, and no reasonable persons would require.

These

These things done, I shall visit and view, and discuss what occurs, and shall think it a duty, timely to inform you the period, when I can have my avocations, consistent, always with yours.

I am, with great respect,

Your very Humble Servant,

(Signed) *ROBERT MYLNE.*

From Mr. Lemmon to Mr. Golborne.

Dear Sir,

I RECEIVED the above Letter from Mr. Mylne by this Post, inclosed in one to me. It does not appear by this, that he has received my Letter, wherein I informed him that Sir Thomas Page and you had been and examined the Middle line of the Cut. I presume I shall hear from him again in answer to that, if so I will let you know.

And remain, Dear Sir,

Your's truly,

(Signed) *WILLIAM LEMMON.*

Downham, 11th September, 1802.

From Mr. Mylne to Mr. Lemmon.

Amwell, Herts, September 12th, 1802.

Sir,

I RECEIVED yesterday, your Letters of the 8th and 9th instant, at a little distance from this place, in the middle of a hard days work of executive business.

I observe from them, you had not received my Letter of the 8th, with the inclosed for Mr. Golborne. To these, I beg leave to refer you, and shall

shall only take leave to add, that Sir Thomas Page may (if he thinks proper), set out the breadths of his idea of the Cut or River, at high and low water marks, provided I am at liberty to set out my idea in these respects, also.

Approbation of either side may still be reserved as much as if nothing had been done.

Much good may flow from this, for the Commissioners and the Country may then conceive the true figure on the scite itself, instead of papers referring to Scales. Time and expence will be saved by Sir Thomas (being now on the spot) having it in his power to do his portion of this service, *forthwith*, and as soon as my avocations can possibly admit, I will take the earliest opportunity to perform my share of it. These things done, comparison will shew truly, wherein the difference lies, between the one and the other, and where they coincide. The Commissioners may then exercise their opinions on the subject, for surely the freedom of judging is still reserved to them in common with the whole Country, notwithstanding their power and elevated quality, as Commissioners for the execution.

In the present state of things, this is the only plan I can conceive, whereby proceedings may go on, and conciliation may perhaps grow out of the circumstances of such a Contract being exhibited to our own minds, as well as the World at large.

For my own part, I am free to own, investigation on so large and publick a Scale, meets my mind on all such occasions, wherein there is too much reason to doubt.

I have only to repeat once more, what I have urged so much in publick, that my Plan being done, does not preclude Sir Thomas Page's being adopted, where found necessary by enlargements for that purpose; but if his Plan is cut to its whole size, it precludes mine for ever.

For it should be understood, the latter is contained within the former, and yet both are warranted *duly* and *fairly* by the Act.

I congratulate the Commissioners with satisfaction, that the middle line is now approved of to be agreeable to the Act, and I trust good sense and deep reflection will settle the remainder.

I go to London to morrow morning, for the whole week to attend to several engagements which are out of my power to modify or to do away.

Among others, I have to be at Blackwall to meet Persons, on the removal of a Rock above 1000 ton weight, very injurious to the Thames navigation.

Please to communicate this Letter to Mr. Golborne,

And oblige,

Your very Humble Servant,

(Signed) *ROBERT MYLNE.*

NOTE.—A Copy of the above Letter was sent to Sir Thomas Hyde Page.

From Sir Thomas Hyde Page to Mr. Lemmon.

Hillington-Hall, 17th September, 1802.

Sir,

I HAVE been favoured with your Letter of yesterday's date, I also have received the copy of a Letter you had from Mr. Mylne, and altho' I do not agree in opinion with him upon some material points therein, I shall proceed without loss of time to superintend the tracing on the ground such parts of the Eau-Brink Cut, as I think may be done with propriety in his absence, I therefore beg to see Mr. Golborne at the Duke's-Head, at Lynn, on Monday morning next, by eleven o'clock, and he should bring a proper number of Workmen with him to trench or lockspit the centre line, prior to any further operations.

I have the honor to be, Sir,

Your most Obedient,

Humble Servant,

(Signed) *THOMAS HYDE PAGE.*

I

P. S.

P. S. I request that you will be good enough to send a Messenger to Mr. Golborne, on the receipt of this Letter.

NOTE.—A Copy of the above Letter was sent to Mr. Golborne.

From Mr. Golborne to Mr. Lemmon.

Dear Sir,

SINCE I received your favour of yesterday's date, I have endeavoured to procure some Labourers to attend on Sir Thomas Page, to lockspit out such parts of the Eau-Brink Cut, as he shall direct, but in vain, they are engaged in Harvest and the Corn being so ripe now, as to be shedding the seed, the Farmers will not part with them on any account, until the Crops are cut down, which if this fine weather continues, may be in another week, when I will attend Sir Thomas with them, by hearing from him or yourself.

I am, Dear Sir,

Your's very obediently,

(Signed) JAMES GOLBORNE.

Ely, September 19th, 1802.

P. S. Let me hear from you, and inform me what number of Men Sir Thomas wishes to have.

From Sir Thomas Hyde Page to Mr. Lemmon.

Lynn, 20th September, 1802.

Sir,

YOUR Messenger has met me on the road, and I feel happy that it is in my power to inform you, from the best authority, that Workmen may be procured immediately at Lynn, I shall therefore depend on seeing

seeing Mr. Golborne at the Duke's-Head, by eleven o'clock on Wednesday next, to engage them on the spot.

The Commissioner's Notice, dated 26th ult. was to trace the Cut *forthwith*. I have been in this Country for that purpose since the 4th of this month; Mr. Golborne will therefore (from this circumstance) be aware of the necessity of meeting me at the time I have appointed, that no imputation of delay may attach to either of us upon the occasion; it being my unalterable determination to execute what the Act of Parliament requires, without presuming to alter any of the Dimensions contained in it.

I have the honor to be, Sir,

Your most Obedient,

Humble Servant,

(Signed) *THOMAS HYDE PAGE.*

NOTE.—A Copy of the above Letter was sent to Mr. Golborne, and he met Sir Thomas at the time appointed, and they proceeded to set out the Cut.

From Mr. Lemmon to Mr. Mylne.

Downham, 28th September, 1802.

Sir,

SIR THOMAS PAGE and Mr. Golborne have been at work ever since Wednesday last, in setting out the Dimensions of the Eau-Brink Cut, and I understand from Mr. Golborne, that they don't expect to finish till the latter end of this Week, or beginning of next. The next meeting of the Commissioners is at Lynn, on the fourteenth of October, and I apprehend Sir Thomas will remain in the Country till then, and attend the Meeting. I therefore think it right to acquaint you of it, in order for you to judge whether you think it will be requisite for you to attend likewise, and

in the mean time to examine the line of the Cut, as set out by him, and to say whether it meets with your approbation or not.

I remain, Sir,
 Your most Obedient,
 Very Humble Servant,
 (Signed) *WILLIAM LEMMON.*

From Mr. Mylne to Mr. Lemmon.

London, 1st October, 1802.

Sir,

IN consequence of your Letter of information of the 28th September, I have wrote the inclosed to Mr. Golborne, you will be so good to take a Copy and forward it, where he may be, there never was such fine weather, but the task is a laborious one. I hope for the best, that the Business will be accurately done, for my expectations are sanguine, that the bare inspection of the *two Cuts* will soon manifest, which is the fittest for the case. It is not for every man, indeed very few are capable of judging of the comparative and relative size or magnitude of things on paper, especially when the paper contains little more than the new proposition *only*, and not a sufficient portion of the old parts which cannot be altered.

I am,
 Your very Humble Servant,
 (Signed) *ROBERT MYLNE.*

At

At a Quarterly Meeting of the Commissioners for carrying the said Act of Parliament into further Execution, holden at the Duke's-Head, Inn, in King's-Lynn, on Thursday the 14th day of October, 1802.

WILLIAM HENRY FELLOWES, ESQ.—IN THE CHAIR.

A PAPER writing, of which the following is a Copy, was produced and read at this Meeting, (that is to say):

“ Sir Thomas Page requests that the Notice he received, dated the 26th
 “ August last, from the Commissioners, may be read by their Clerk, and
 “ also the Correspondence at large with Mr. Mylne, there being many
 “ Gentlemen yet unacquainted with the contents of those papers. This
 “ will lead to a consideration of the three Plans, and Act of Parliament,
 “ which have been subjects of discussion.

“ Sir Thomas Hyde Page holding a Commission as a Military Officer,
 “ cannot obey any order given by the Commissioners, except what the Act
 “ of Parliament authorizes, without the previous approbation of the King;
 “ his present attendance is therefore in obedience to the Act, as a Trustee,
 “ to see the Lines of the Cut traced as it directs on the Ground.—He con-
 “ sequently hereafter, can only have the honor of meeting the Commis-
 “ sioners on the Spot, above alluded to, where the Cut is to be made,
 “ which he will do as often as they may desire it, upon receiving ten Days
 “ previous Notice.—At the time the Act passed, the Dimensions in it were
 “ inserted with the approbation of Sir Thomas Hyde Page and Mr. Mylne,
 “ and it cannot be doubted, but at that time they thought them the best
 “ for the Work.—No one could have presumed to have recommended to
 “ Parliament any other Dimensions than those most likely to be of Public
 “ Benefit, and best calculated to preserve the Navigation and improve the
 “ Drainage of the Country.—The Correspondence will best explain Mr.
 “ Mylne's subsequent change of opinion; it will also explain that the opinion
 “ of Sir Thomas Hyde Page has not been changed, and he will feel it a
 “ Duty

"Duty to the Country at large, and to himself, to protest against any deviations from the Dimensions in the Act of Parliament, (which had his approbation), being convinced that the Navigation and Drainage require a strict observance of them. Mr. Mylne not having appeared in consequence of the Notice, Sir Thomas Hyde Page informed him (through Mr. Lemmon) of his readiness to trace the Lines from the Dimensions in the Act, (in Mr Mylne's absence), which Mr. Golborne has since done in Sir Thomas Hyde Page's presence, at the lower and upper ends of the Cut, and the intermediate space may be furnished in a short time should Mr. Mylne think proper to join with Sir Thomas Hyde Page to authorize it, but on the contrary should he persevere in his endeavours to introduce a New Plan, differing so materially from the large Map, and certified Copy, as also from the Act of Parliament, it must be with the Commissioners to determine what further Steps are to be taken, Sir Thomas Hyde Page feeling it impossible to proceed any further, under the above circumstances, and he conceives that nothing short of an alteration in the Act of Parliament can terminate the difficulties that have arisen, as the present Act does not admit of an arbitrator relative to the dimensions of the Cut."

Lynn, 14th October, 1802.

"Mr. Cubitt having certified one of the Plans, Sir Thomas Hyde Page has judged it essentially necessary to desire his attendance, that he should appear before the Commissioners, and answer such Questions as they may put to him, (relative to the certified Plan), for their information, upon a subject of so much importance."

The following Orders and Resolutions were then made. Viz.

At this Meeting the Correspondence between Sir Thomas Hyde Page and Mr. Mylne was read.

Also at this Meeting the Thanks of the Commissioners to Sir Thomas Hyde

Hyde Page for the ready attendance and exertion in the execution of the trust reposed in him by the Act were moved, and seconded, and unanimously agreed to by the Commissioners present.

Ordered.—That a sufficient number of Copies of the Correspondence between Sir Thomas Hyde Page and Mr. Mylne be printed for the use of the Commissioners.

Ordered.—That this Meeting does approve of the plan of the Cut directed by the Act of Parliament, and as marked upon the Ground by Sir Thomas Page.

Ordered.—That this Resolution be communicated to Mr. Mylne, and that Mr. Golborne attend him therewith for his concurrence.

Ordered.—That Mr. Golborne do attend at the next Meeting, and Report Mr. Mylne's answer to the Commissioners.

Ordered.—That the thanks of this Meeting be given to the Chairman for his Attention to the Business of the day.

Ordered.—That this Meeting be adjourned to Monday the fifteenth day of November next, to be held at the Rose Inn, in Cambridge, at eleven o'clock in the forenoon.

W. H. FELLOWES.

CHAIRMAN.







